

**CALENDAR ITEM
C09**

A 5

10/16/15

S 1

PRC 3553.1
S. Kreutzburg

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Carin Cooper Batham, as Trustee of the Carin L. Cooper Trust dated July 20, 1998.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8235 Meeks Bay Avenue, Meeks Bay, El Dorado County.

AUTHORIZED USE:

Use and maintenance of an existing pier, portion of a boathouse, and one mooring buoy.

LEASE TERM:

10 years, beginning October 17, 2015.

CONSIDERATION:

\$744 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoy within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoy.

CALENDAR ITEM NO. **C09** (CONT'D)

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On December 8, 2005, the Commission authorized a 10-year Recreational Pier Lease to Janet E. Cooper, Trustee of the Janet E. Cooper Trust, dated November 12, 1993. That lease will expire on October 16, 2015.
3. On October 3, 2013, all interest in the upland property was transferred to Carin Cooper Batham, as Trustee of the Carin L. Cooper Trust dated July 20, 1998. The Applicant is now applying for a General Lease – Recreational Use.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C09** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Carin Cooper Batham, as Trustee of the Carin L. Cooper Trust dated July 20, 1998, beginning October 17, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, portion of a boathouse, and one mooring buoy as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$744, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 3553.1

LAND DESCRIPTION

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 29, Township 14 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved January 17, 1866, County of El Dorado, State of California, more particularly described as follows:

PARCEL 1 - PIER

All those lands underlying an existing pier, catwalk and portion of boathouse lying adjacent to those parcels described in Exhibit A of Grant Deed recorded October 3, 2013 in Document Number 2013-0051114-00 in Official Records of said El Dorado County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2 - BUOY

A circular parcel of land, being 50 feet in diameter, underlying an existing buoy lying adjacent to those parcels described in Exhibit A of Grant Deed recorded October 3, 2013 in Document Number 2013-0051114-00 in Official Records of said El Dorado County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/03/2015 by the California State Lands Commission Boundary Unit.



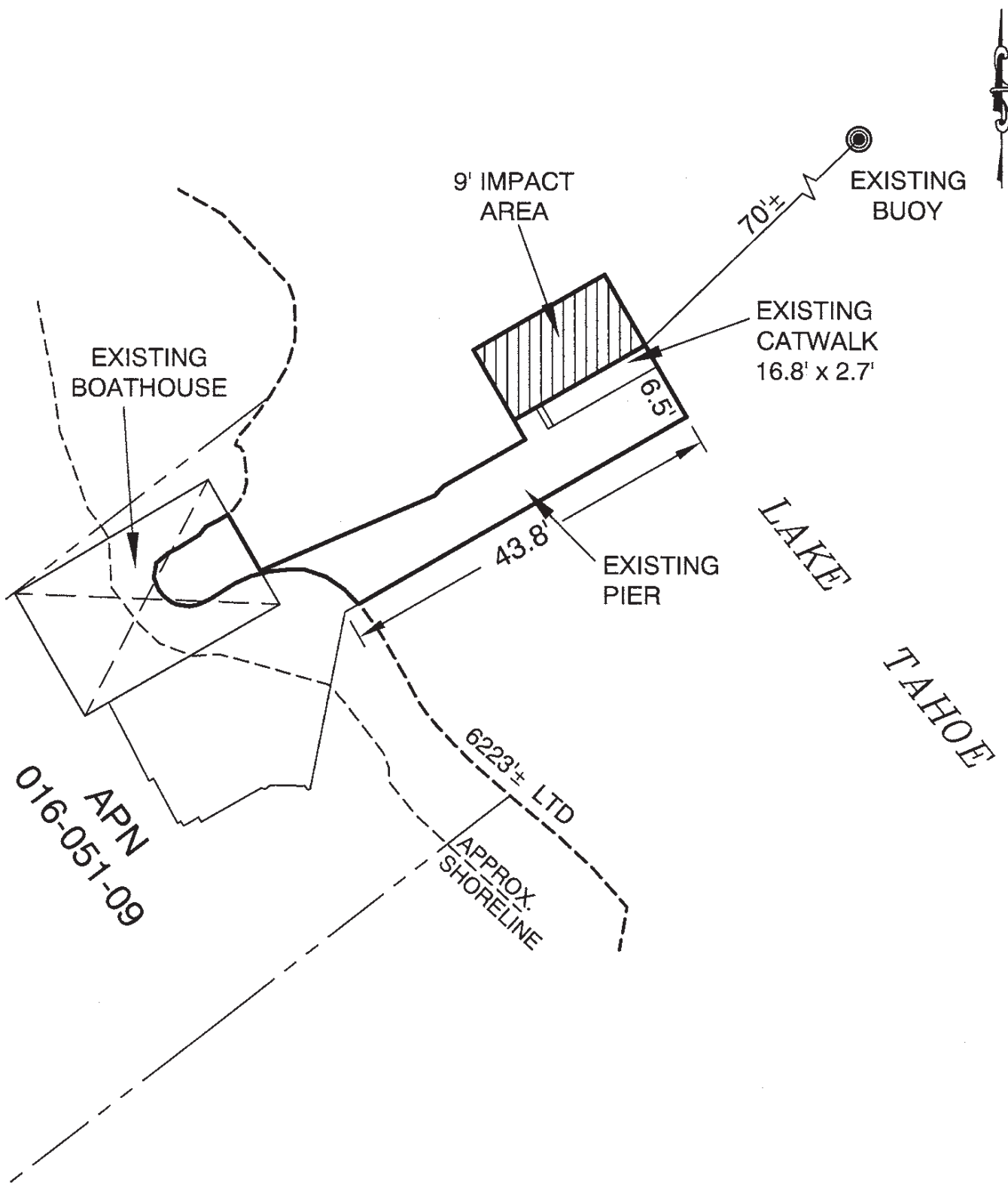


EXHIBIT A

Page 2 of 2

TS 06/03/15

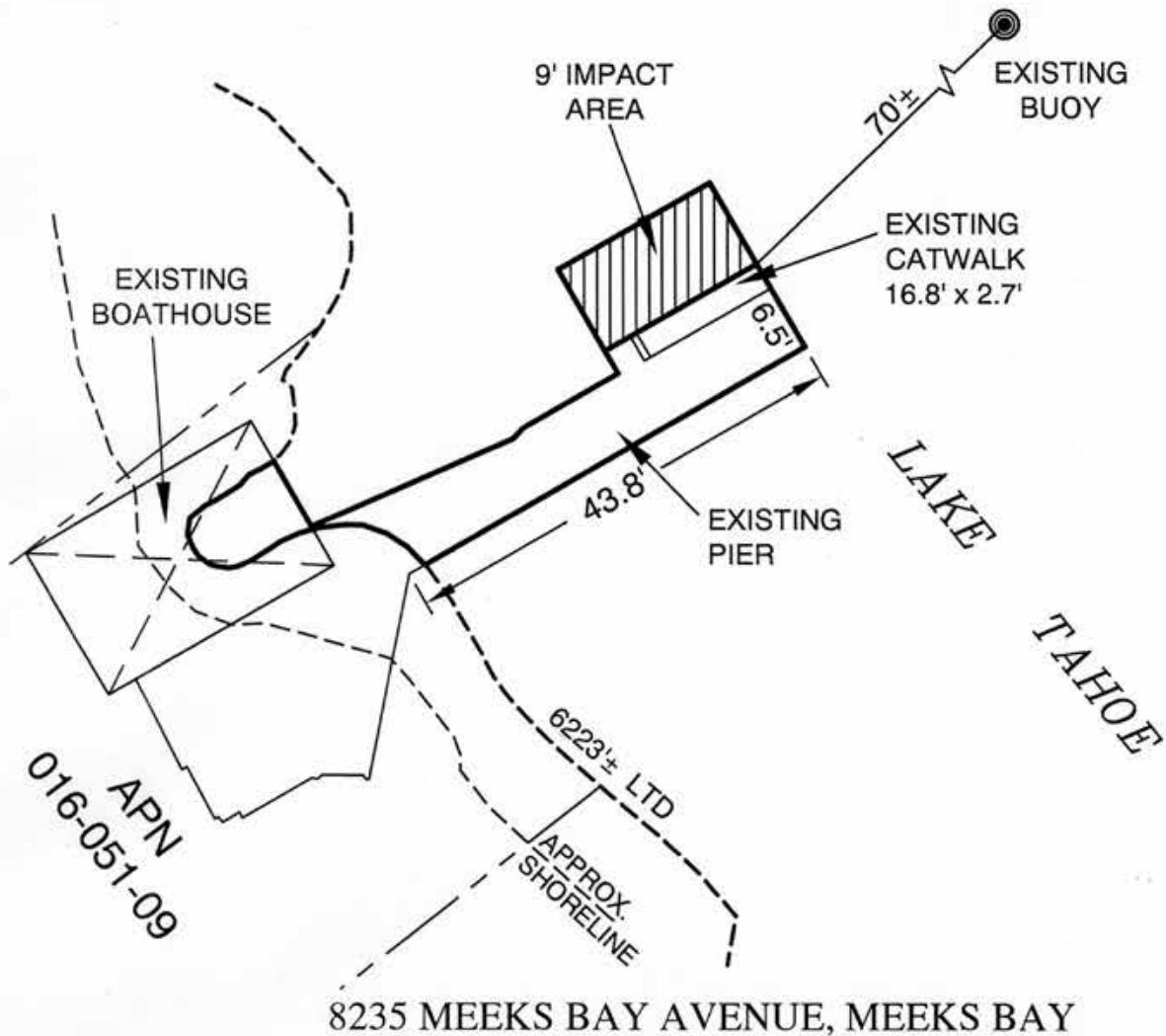
LAND DESCRIPTION PLAT
PRC 3553.1, COOPER TRUST
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



NO SCALE

LOCATION

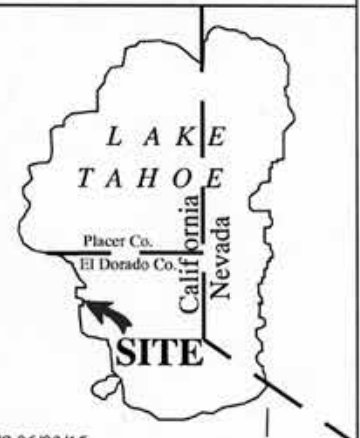


MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 3553.1
COOPER TRUST
APN 016-051-09
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



TS 06/03/15